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Attorneys for Defendant,

99 CENTS ONLY STORES LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARIA ANTONIETA ESCOBAR-RIVERA, an
individual,

Plaintiff,

vs.

99 CENTS ONLY STORES, LLC a foreign
corporation; DOES I through X; and ROE
ENTITIES I through X,

Defendants.

CASE NO.: 2:22-cv-01705-CDS-EJY

**STIPULATION TO EXTEND DISCOVERY
PLAN AND SCHEDULING ORDER
(SECOND REQUEST)**

**SUBMITTED IN COMPLIANCE WITH LR
26-3**

Plaintiff, MARIA ANTONIETA ESCOBAR-RIVERA, by and through her attorneys, DAVID A. TANNER, ESQ. of TANNER LAW FIRM, and Defendant, 99 CENTS ONLY STORES LLC, by and through its attorneys, LEW BRANDON, JR., ESQ., JEFFREY J. ORR, ESQ. and JUSTIN PASQUALE, ESQ. of BRANDON | SMERBER LAW FIRM, stipulate and agree that the discovery schedule be extended pursuant to LR 26-3.

I. Discovery Conducted to Date (LR 26-4(a)):

Both parties have submitted their initial FRCP 26.1 disclosures. Both parties have served written discovery requests and received responses thereto. Plaintiff's deposition was completed on March 30, 2023 and April 18, 2023. Defendant has received medical authorizations from Plaintiff to independently obtain

copies of Plaintiff's medical records. Deposition of Defendant's employee, Astrid Marroquin was completed on April 13, 2023. Plaintiff's liability expert conducted a site inspection of the premises on May 15, 2023.

II. Discovery to be Conducted (LR 26-4(b)):

1. Retain and disclose experts;
2. Defendant's FRCP 30(b)(6) depositions;
3. Percipient witness depositions;
4. Expert designations and depositions; and
5. Medical provider depositions.

III. The Reasons the Remaining Discovery Cannot Be Completed within the Time Limits Set by the Discovery Plan (LR 26-4(c)):

This extension is requested as a result of the parties needing additional time to secure the testimony of Defendant's 30(b)(6) witness. The witness had to go out of state due to a family emergency. The NRCP 30(b)(6) deposition is set for May 31, 2023 and the parties need additional time between this deposition and expert disclosures to allow the experts to comment upon this testimony.

IV. ~~Proposed~~ New Schedule for Completing All Remaining Discovery (LR 26-4(d)):

The current discovery deadlines are as follows:

- | | |
|---|---------------------|
| 1. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | Closed. |
| 2. Initial Expert Disclosures (LR 26-1(b)(3)): | June 20, 2023. |
| 3. Rebuttal Expert Disclosures (LR 26-1(b)(3)): | July 21, 2023. |
| 4. Dispositive Motions (LR 26-1(b)(4)): | September 19, 2023. |
| 5. Discovery Cutoff (LR 26-1(b)(1)): | August 22, 2023. |

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The parties propose extending all discovery deadlines by ~~thirty ninety~~ (930) days as follows:

- | | |
|---|---------------------|
| 1. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | Closed. |
| 2. Initial Expert Disclosures (LR 26-1(b)(3)): | July 20, 2023. |
| 3. Rebuttal Expert Disclosures (LR 26-1(b)(3)): | August 21, 2023. |
| 4. Dispositive Motions (LR 26-1(b)(4)): | October 19, 2023. |
| 5. Discovery Cutoff (LR 26-1(b)(1)): | September 21, 2023. |

DATED this 26th day of May 2023.

DATED this 26th day of May 2023.

TANNER LAW FIRM

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/s/ David A. Tanner

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Attorneys for Defendant,

99 CENTS ONLY STORES LLC

ORDER

IT IS SO ORDERED

Dated this 30th day of May, 2023.


UNITED STATES MAGISTRATE JUDGE